IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition No. 7221 of 2003

Idrish Ibrahim Lakhani .. Petitioner
V/s.
The Union Territory of Daman & Anr. .. Respondents

Mr. H.E. Palwe for the Petitioner
Mr. H.V. Mehta for the Respondents

CORAM : S. RADHAKRISHNAN &
J.H. BHATIA, JJ.
DATED : 29.06.2005.

P.C.:-

1. Heard the learned counsel for the Petitioner and the Respondents. Perused Section 10 of the Goa, Daman & Diu Excise Duty Act, 1964. By this Petition, the Petitioner is challenging the notification dated 27.6.2000, issued by the Administrator of Union Territory of Daman and Diu, in public interest under Section 10 of the Goa, Daman & Diu Excise Duty Act, whereby it is directed that no person shall manufacture country liquor out of Gur in the territory of Daman and Diu and as such any kind of import sale or purchase of Gur for manufacturing of country liquor in Union Territory, has been prohibited.

2. It is explicitly clear that the above notification was issued under the aforesaid Section 10, which clearly empowers the Government to issue in public interest such a Notification to prohibit or restrict import/export, transport, possession, manufacture or sale of any or all excisable items within Daman, Diu or

any part thereof.

3. The learned counsel for the Petitioner fairly admits that Gur is an excisable item.

4. Under these circumstances, we do not find any ground whatsoever for interfering in the above. Petition is devoid of merits, hence stands dismissed.

(S. RADHAKRISHNAN, J.)

(J.H. BHATIA, J.)